

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Thomas H. Bray,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Bank of America, MERS, Inc., Country)	
Wide Home Loans, et. al.,)	
)	Case No. 1:09-cv-075
Defendants.)	

Before the court is a Motion for Stay of Motion for Summary Judgment (Docket No. 161) filed by Defendants on October 15, 2010. Defendants requested the stay of the action based upon a nationwide foreclosure moratorium initiated by Bank of America. The court held a telephonic status conference with the parties on November 9, 2010. At that conference, counsel for the defendants advised the court and the plaintiff that he was withdrawing the motion for a stay, and wished to proceed with the action.

Based upon defendants' notification to the court at that status conference that their request for a stay was withdrawn, the court **FINDS AS MOOT** defendants' Motion for Stay (Docket No. 161).

IT IS SO ORDERED.

Dated this 22nd day of November, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge